

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**WESTERN DIVISION**

**U.S.A. vs. Tevonte K. Prewitt**

**Docket No. 5:10-MJ-1713-1**

**Petition for Action on Probation**

COMES NOW Matthew Smith, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Tevonte K. Prewitt, who, upon an earlier plea of guilty to Simple Possession of Marijuana in violation of 21 U.S.C. § 844, was sentenced by the Honorable James E. Gates, U.S. Magistrate Judge, on September 14, 2011, to a 12-month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** On November 14, 2011, the defendant submitted an urine sample that was positive for the presence of THC. This constitutes Mr. Prewitt's first positive urine submission since supervision began on September 14, 2011. As a sanction for this conduct, it is recommended that he serve 3 days in confinement in conjunction with increased urine surveillance.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that probation be modified as follows: The defendant shall be confined in the custody of the Bureau of Prisons for a period of 3 days, commencing as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert K. Britt  
Robert K. Britt  
Senior U.S. Probation Officer

/s/ Matthew Smith  
Matthew Smith  
U.S. Probation Officer  
310 Dick Street  
Fayetteville, NC 28301-5730  
Phone: (910) 483-8613  
Executed On: November 23, 2011

**ORDER OF COURT**

Considered and ordered this 23rd day of November, 2011, and ordered filed and made a part of the records in the above case.

  
James E. Gates  
United States Magistrate Judge